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March 20, 2013

The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: WT Docket No. 11-49

Dear Chairman Genachowski:

The Boulder Emergency Telephone Service Authority (BRETSA) is a Colorado 9 1 1 Authority which establishes, collects and distributes the Colorado Emergency Telephone Surcharge to fund 9 1 1 Service in Boulder County, Colorado. The BRETSA Board consists of the heads of public safety agencies in the County, and this letter thus offers the perspectives of authorities responsible for overall public safety operations as well as PSAP services.

WT Docket No. 11-49 is the most important active Commission docket for public safety, in terms of the number of lives which may be saved or lost depending upon the action the Commission takes. BRETSA urges the Commission to promptly authorize Progeny LMS, LLC to provide its life-saving location services using its licensed spectrum.

The Commission's current wireless E9-1-1 location standards apply only to outdoor locations when there is a mass migration underway to replacement of wireline service with wireless services. Wireless service is no longer a mobile service primarily used out-of-doors, but is today the predominant voice service used in indoor as well as outdoor locations.

If a wireless 9-1-1 call is received today from a caller in an indoor location who is unable to communicate his location to the PSAP, First Responders may need to search multiple adjacent buildings, let alone discrete and possibly secured areas within each building, to locate the caller/victim. The delay involved in locating the caller depends upon the happenstance of where the search begins in relation to the caller's location, and can mean the difference between life or death.

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Even more significant in terms of the number of people affected is the delay in dispatch of First Responders due to misrouting of wireless 9-1-1 calls based upon Phase I data (the location of the wireless system antenna through which the 9-1-1 call is received). Today, wireless 9-1-1 calls are routed based upon the location of the wireless system antenna through which the call is received, because of the delay in determination of the handset (user) location with currently deployed location technologies. When the system antenna is near the boundary between two or more jurisdictions, the calls are often routed to the PSAP in the wrong jurisdiction which does not have authority or access to dispatch First Responders to the scene of the incident. Such misrouting of 9-1-1 calls occurs thousands of times a day across the U.S., and can delay the dispatch of First Responders to vehicular and industrial accidents, medical, fire and police emergencies by 5 minutes or more, when seconds count.

It is for these reasons that BRETSA was excited to learn of the technology developed by NextNav Holdings LLC and which is being implemented by Progeny LMS, LLC ("NextNav" and "Progeny"). BRETSA representatives have seen demonstrations of the NextNav System's ability to provide more accurate indoor locations than other technologies have been reported to provide, including in the vertical axis to identify the floor on which a caller is located. BRETSA found the technology so important that it was working with NextNav and representatives of the University of Colorado to establish a testing program for its indoor location technology, prior to the scheduling of the Communications Security, Reliability and Interoperability Council, Working Group III tests which were recently completed. Indeed, with its indoor location capabilities, BRETSA believes that installation of NextNav technology on VoIP devices and devices behind IP PBXs could cost-effectively resolve the VoIP and PBX 9-1-1 location problems in areas where the technology is deployed.

BRETSA is even more excited about NextNav's claims that its technology will (i) provide a first fix within six-seconds from a cold-start, and (ii) reduce the battery drain of GPS chipsets by up to 90% so that GPS location capability may be left enabled, eliminating delay in availability of Phase II location data. BRETSA believes that this will allow 9-1-1 calls made in jurisdictional-boundary areas to be routed based on Phase II data ("Phase II Routing"), eliminating delays in dispatch of First Responders due to misrouting the calls, and saving lives.

We understand that manufacturers and users of Part 15 devices have raised concerns with potential interference to their devices by the Progeny/NextNav systems. We are sympathetic to potential interference with these commercial devices or services which we understand agreed to accept certain levels of interference. However we must emphasize that the NextNav technology

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has the potential to significantly improve 9-1-1 location information, reduce First Responder response times, and save more lives than any other technology currently under consideration by the Commission. We understand that the frequencies used by the Progeny/NextNav system are close enough to those used by GPS satellites that existing GPS chipsets in smartphones and other devices can receive and use the NextNav signals with minimal additional cost to the devices, and that this is critical to use of the technology.

The Commission should authorize Progeny LMS, LLC to provide location services using its licensed spectrum at the earliest possible moment, and supervise testing of the technology for Phase II Routing, as well as VoIP and PBX 9-1-1 Call Routing.

Very truly yours,



Joseph P. Benkert

*Attorney for the Boulder Regional  
Emergency Telephone Service  
Authority*